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Smith-Jeremie and Nominal Defendant Unity Software
Inc.*

[Additional Counsel on Signature Page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE UNITY SOFTWARE INC.
DERIVATIVE LITIGATION

Case No. 5:22-cv-07416-EKL
(Consolidated)

18 || This Document Relates to:

**STIPULATION AND [PROPOSED]
ORDER DISMISSING ACTION
WITHOUT PREJUDICE**

ALL ACTIONS

1 Plaintiffs Krishna Movva and Tom Duong (“Plaintiffs”) and Defendants John S.
 2 Riccitiello, Kimberly Jabal, Luis Felipe Visoso, Roelof Botha, Egon Durban, David Helgason,
 3 Alyssa Henry, Barry Schuler, Robynne Sisco, Mary Schmidt Campbell, and Keisha Smith-
 4 Jeremie (the “Individual Defendants”) and Nominal Defendant Unity Software Inc. (“Unity” and
 5 collectively with the Individual Defendants, “Defendants,” and together with Plaintiffs, the
 6 “Parties”), by and through their undersigned counsel, hereby stipulate and agree as follows and
 7 jointly request that the Court enter the Order below approving this stipulation:

8 **WHEREAS**, on November 22, 2022, Plaintiff Krishna Movva filed a shareholder
 9 derivative action on behalf of Nominal Defendant Unity in this Court alleging breaches of
 10 fiduciary duty, waste of corporate assets, unjust enrichment, and violations of Section 14(a) of the
 11 Securities Exchange Act of 1934 (the “Exchange Act”) against the Individual Defendants, and
 12 claims for contribution for violations of Section 10(b) of the Exchange Act against Defendants
 13 Riccitiello, Jabal, and Visoso, captioned *Movva v. Riccitiello, et al.*, Case No. 22-cv-
 14 07416 (N.D. Cal.);

15 **WHEREAS**, on December 16, 2022, Plaintiff Tom Duong filed a shareholder derivative
 16 action on behalf of Nominal Defendant Unity in this Court alleging breaches of fiduciary duty
 17 and violations of Section 14(a) of the Exchange Act against the Individual Defendants, captioned
 18 *Duong v. Riccitiello, et al.*, Case No. 22-cv-08926 (N.D. Cal.);

19 **WHEREAS**, on February 10, 2023, the Court entered the Stipulation and Order
 20 Consolidating Related Actions, Setting a Schedule, Accepting Service, and Appointing Co-Lead
 21 Counsel (Dkt. No. 22), resulting in this consolidated action (the “Consolidated Derivative
 22 Action”);

23 **WHEREAS**, the Consolidated Derivative Action is related to a putative securities class
 24 action captioned *In re Unity Software Inc. Securities Litigation*, Case No. 5:22-cv-03962 (the
 25 “Securities Litigation”);

26 **WHEREAS**, on March 12, 2025, the Court granted Defendants’ motion to dismiss the
 27 second amended complaint in the Securities Litigation and dismissed the second amended
 28 complaint with prejudice;

1 **WHEREAS**, the period for filing a notice of appeal of the Court's order dismissing the
 2 Securities Litigation has elapsed, which was 30 days after entry of the judgment on April 14,
 3 2025;

4 **WHEREAS**, Plaintiffs have consented to a voluntary dismissal of this action.

5 **ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED**, by and between
 6 the Parties, through their authorized attorneys, as follows:

7 1. The above-captioned action, and all claims asserted in this action are dismissed without
 8 prejudice pursuant to Federal Rules of Civil Procedure 23.1(c) and 41(a); and
 9 2. Each party is to bear his, her, or its own costs and attorneys' fees.

10 Dated: June 30, 2025

MORRISON & FOERSTER LLP

13 By: /s/ Christin Hill

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 29 Helgason, Alyssa Henry, Barry Schuler,
 30 Robynne Sisco, Mary Schmidt Campbell,
 31 and Keisha Smith-Jeremie and Nominal
 32 Defendant Unity Software Inc.*

1 Dated: June 30, 2025

THE BROWN LAW FIRM, P.C.

3 By: */s/ Robert C. Moest*

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17 *Co-Lead Counsel for Plaintiffs*

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: July 1, 2025

By:


Hon. Eumi K. Lee
United States District Judge